

Applicant and Worker Privacy Notice

Effective Date: January 1, 2023

SCOPE

This Privacy Notice applies to applicants and prospective employees (collectively, “**Applicants**”) and employees, contractors, contingent and other personnel (collectively, “**Workers**”) whose personal information Excelligence may collect and process in the course of its Human Resources Operations, from submission of an application, throughout the course of an individual’s tenure with the Company, and following such employment or services (collectively, the “**Human Resources Operations**”).

The terms “Excelligence,” “we,” “us,” and “our” includes Excelligence Learning Corporations and its affiliates and subsidiaries. This Privacy Notice explains the kinds of information we may collect, how we intend to use and share that information, and the rights you may have related to these processing activities.

This Privacy Notice only applies to data that we collect and process when interacting with you in your capacity as an Applicant or Worker. Unless otherwise indicated on a specific website page or form, this Privacy Notice does not apply to any of the personal information that we process through your use of our public-facing websites, applications, or services, which are subject to our user Privacy Policy governing those properties. **For residents of California, more information about the data we collect is available in our Notice at Collection and Supplemental Notice for Residents of California [here](#).**

PERSONAL INFORMATION WE COLLECT

Excelligence collects personal information from Applicants and Workers as described below.

Personal Information We Collect from You Directly. We may collect the following personal information that you provide to us:

- **Profile/Demographic Information.** Name, address, phone number, email address, date of birth, passport number, driver’s license number, driving record, Social Security number or other government-issued identification number, employment history, education information, professional qualifications, salary information, financial information related to credit checks, bank details for payroll, language abilities, contact information of third parties in case of an emergency, beneficiaries under any benefit program, and other information that may be recorded on a resume/CV or application form. We may also collect other sensitive personal information such as details of health and disability, including medical information, health insurance information, mental health, medical leave, and maternity leave; information about national origin or immigration status; and optional demographic information such as race or veteran status, which helps us achieve our diversity goals.
- **Communications with Us.** Personal information such as personal contact information when an Applicant or Worker communicates with us, for example to inquire about employee benefits.
- **Posting on Intra-Company Sites.** Excelligence may offer intra-company accessible sites, pages, messaging channels, blogs, or forums (“Intra-Company Sites”). Excelligence and other individuals who use the Intra-Company Sites may collect the information you submit or make available through these sites. If you choose to submit content to any public area of the Intra-Company Sites, such content will be considered “public” and

may not be subject to the privacy protections set forth herein.

- **Biometric information collection.** While Excelligence does not generally collect biometric information, Excelligence, or its service providers, acting on our behalf, may collect limited biometric information, including potentially employee fingerprints, for example, to access a timeclock. In these situations, we will provide notice about the purpose for collecting the biometric information, and how it will be used and protected.

Personal Information We Collect Automatically.

- **Use of Excelligence Information Technology Systems and Networks.** Excelligence may collect certain information automatically through the course of your employment or services, such as your Internet protocol (IP) address, inferred location based on your IP address or activities, device identifiers associated with your computer or device, mobile carrier and related information, activity logs, and other information about activities you engage in on Excelligence property, equipment, accounts, systems and networks. Excelligence may monitor and review Workers' uses of Excelligence equipment, accounts, information technology systems and networks, including its phone networks, computer networks, including those used to access the Internet, videoconferencing systems and other company-provided electronic communications tools. Excelligence may access and review electronic files, messages, and emails sent or stored on its information technology systems, including accounts, computers and devices provided to Workers.

Please note that you have no expectation of privacy while on Excelligence's premises or using Excelligence information technology systems, devices, networks, and electronic communication tools. Please also note that this Privacy Notice does not establish, and should not be construed to mean, that all Workers will have access to, or will participate in, the systems, networks, data, programs and other business activities described in this Privacy Notice.

- **CCTV Footage.** Excelligence may monitor its premises using CCTV cameras.
- **Surveys.** From time to time, we may ask you to participate in surveys. If you decide to participate, you may be asked to provide certain information which may include personal information. All information collected from your participation in our surveys is provided by you voluntarily.
- **Contests.** Occasionally, Excelligence may run contests. We ask those who participate to provide information relevant to the contest, which may include personal information.

Information from Other Sources. We may collect or receive information about you from other sources, including through third-party services and organizations to supplement information provided by you. For example, where permitted by law, we may conduct background and credit checks on you prior to your employment with Excelligence.

Miscellaneous Information. We may receive or collect other miscellaneous information (for example, information you choose to disclose during the interview process, whether in oral or written form, opinions generated during the interview process, and information provided to us during performance reviews).

HOW WE USE YOUR INFORMATION

We process personal information for a variety of business purposes including:

- To assess your suitability, aptitude, skills, qualifications, and interests for employment with or provision of services to Excelligence;
- To communicate with you about the application process and/or your application;
- To assist you with obtaining an immigration visa or work permit (where required and requested by you);
- To take steps at your request prior to entering into a relationship with you (for example, after we have sent you an offer, to process certain personal information to enter into and commence employment);
- Workflow management, including assigning, managing and administering projects;
- Human Resources Operations administration and communication;
- Payroll and the provision of benefits;
- Compensation, including bonuses and long-term incentive administration, stock plan administration, compensation analysis, including monitoring overtime and compliance with labor laws, and company recognition programs;
- To pursue our legitimate interests (for example, fraud prevention, network and information security, disclosure to affiliated organizations for administrative tasks, Worker monitoring for safety or management, whistleblowing schemes, enforcement of legal claims, and research purposes);
- Job grading activities;
- Performance and Worker development management;
- Organizational development and succession planning;
- Benefits and personnel administration;
- Absence management;
- Helpdesk and IT support services;
- Internal and/or external or governmental compliance investigations;
- Internal or external audits;
- Where it is necessary for the establishment, exercise or defense of legal claims;
- Diversity and inclusion initiatives;
- Restructuring and relocation;
- Emergency contacts and services;

- Worker safety;
- To comply with our legal obligations;
- Processing of Worker expenses and travel charges;
- Acquisitions, divestitures, and integrations; and
- As you otherwise agree or consent.

HOW WE DISCLOSE YOUR INFORMATION

We may share your information as described in this Privacy Notice (e.g., with our third-party service providers; to comply with legal obligations; to protect and defend our rights and property) or with your permission.

We Use Vendors and Service Providers. Excelligence may share any information we receive with vendors and service providers. The types of service providers to whom we entrust personal information include service providers for: (i) maintaining our Human Resources Operations; and (ii) the provision of IT and related services.

Affiliates and Subsidiaries. Excelligence may share personal information with our affiliates and subsidiaries for our and our affiliates' and subsidiaries' internal business purposes.

Facilitating Worker Communication. When you post content about yourself to the Intra-Company Site(s), other individuals may be able to see some information about you, such as your name and/or picture in addition to the content you post. While we expect all Workers to follow the Excelligence's Employee Handbook, we are not responsible for how other Workers may view and use content you share.

Disclosures to Protect Us or Others. We may access, preserve, and disclose your personal information if we believe doing so is required or appropriate to: (i) comply with law enforcement or national security requests and legal processes, such as court orders or subpoenas; (ii) protect your, our, or others' rights, property, or safety; (iii) enforce our policies or contracts; (iv) collect amounts owed to us; or (v) assist with an investigation or prosecution of suspected or actual illegal activity.

Merger, Sale, or Other Asset Transfers. If we are involved in a merger, acquisition, financing due diligence, reorganization, bankruptcy, receivership, sale of company assets, or transition of service to another entity, your information may be transferred as part of such a transaction as permitted by law and/or contract.

INTERNATIONAL DATA TRANSFERS

All information collected via or by Excelligence may be transferred, processed, and stored anywhere in the world, including, but not limited to, the United States, in order to carry out our Human Resources Operations. We endeavor to safeguard your information consistent with the requirements of applicable laws.

INDIVIDUAL RIGHTS IN PERSONAL INFORMATION

In accordance with applicable law, you may have the right to:

- **Access to and portability of your personal information**, including: (i) confirming whether we are processing your personal information; (ii) obtaining access to or a copy of your personal information; (iii) receiving an

electronic copy of personal information that you have provided to us, or asking us to send that information to another company (the “right of data portability”);

- **Request correction of your personal information** where it is inaccurate or incomplete. In some cases, we may provide self-service tools that enable you to update your personal information, or we may refer you to the controller of your personal information who is able to make the correction;
- **Request deletion of your personal information**, subject to certain exceptions prescribed by law; and
- **Request restriction of or object to our processing of your personal information**, including the right to (i) withdraw your consent to processing, (ii) object to, or restrict, processing of your sensitive personal information for certain purposes, or (iii) opt out of profiling in furtherance of decisions that produce legal or similarly significant effects concerning you, if applicable, where each such requests are permitted by law.

If you would like to exercise any of these rights, contact us as set forth below. We will process such requests in accordance with applicable laws. To protect your privacy, Excelligence will take steps to verify your identity before fulfilling your request. You have the right to not receive discriminatory treatment or be retaliated against for exercising these rights.

An agent authorized to act on your behalf, may make a verifiable consumer request to exercise the rights described above related to your personal information. You may also make a verifiable request on behalf of your minor child. To authorize an agent, provide written authorization signed by you and your designated agent and contact us as set forth in the “Contact Us” section below for additional instructions.

DATA RETENTION

Excelligence retains the personal information we receive as described in this Privacy Notice for as long as necessary to fulfill the purpose(s) for which it was collected, carry out our Human Resources Operations, resolve disputes, establish legal defenses, conduct audits, pursue legitimate business purposes, enforce our agreements, comply with applicable laws, or based upon other criteria, including, but not limited to, the sensitivity and volume of such data. Additionally, we endeavor to retain all such personal information in accordance with legal requirements.

SECURITY OF YOUR INFORMATION

We take steps to ensure that your information is treated securely and in accordance with this Privacy Notice. Unfortunately, we cannot ensure or warrant the security of any information you provide to us. To the fullest extent permitted by applicable law, we do not accept liability for unauthorized disclosure.

THIRD PARTY WEBSITES/APPLICATIONS

Various resources and sites at Excelligence may contain links to third party websites/applications and other websites/applications may reference or link to Excelligence. These third-party services are not controlled by us. We encourage Applicants and Workers to read the privacy policies of each website and application with which they interact. We do not endorse, screen or approve, and are not responsible for the privacy practices or content of such other websites or applications. Visiting these other websites or applications is at your own risk.

CHANGES TO OUR PRIVACY NOTICE AND PRACTICES

We may revise this Privacy Notice from time to time in our sole discretion. If there are any material changes to this Privacy Notice, we will notify you as required by applicable law. You understand and agree that you will be deemed to have accepted the updated Privacy Notice if you continue your employment with or services

to the Excelligence after the new Privacy Notice takes effect. If at any point you do not agree to any portion of the Privacy Notice in effect, you must immediately contact Human Resources.

CONTACT US

If you have any questions about our privacy practices or this Privacy Notice, please contact Excelligence by email at privacy@excelligence.com.

NOTICE AT COLLECTION AND SUPPLEMENTAL NOTICE FOR CALIFORNIA RESIDENTS

The following table describes the categories of personal information Company has collected and the categories of third parties to which such information has been disclosed for a business purpose in the preceding 12 months:

Category of Personal Information Collected by Excelligence	Category of Third Parties to which Information is Disclosed
<p>Identifiers A real name, alias, postal address, unique personal identifier, online identifier, Internet Protocol address, email address, account name, Social Security number or other similar identifiers.</p>	<p>Service providers Government entities Excelligence affiliates Insurance providers Operating systems and platforms</p>
<p>Personal information categories listed in the California Customer Records statute (Cal. Civ. Code § 1798.80(e)) A name, signature, Social Security number, physical characteristics or description, address, telephone number, passport number, driver's license or state identification card number, insurance policy number, education, employment, employment history, bank account number, credit card number, debit card number, or any other financial information, medical information, or health insurance information.</p>	<p>Service providers Government entities Excelligence affiliates Insurance providers</p>
<p>Sensitive personal information A social security, driver's license, state identification card, or passport number, an account log-in, financial account, precise geolocation, racial or ethnic origin, or philosophical beliefs, or union membership, contents of email, and text messages unless the business is the intended recipient of the communication, or genetic information.</p>	<p>Service providers Government entities Excelligence affiliates Insurance providers</p>
<p>Protected classification characteristics under California or federal law Age (40 years or older), race, color, ancestry, national origin, citizenship, marital status, medical condition, physical or mental disability, sex (including gender, gender identity, gender expression, pregnancy or childbirth and related medical conditions), sexual orientation, veteran or military status, genetic information (including familial genetic information).</p>	<p>Service providers Government entities Excelligence affiliates Insurance providers</p>

Geolocation data Physical location or movements (of Company-owned vehicles, tools or other devices)	Service providers Excelligence affiliates
Biometric information Biological characteristics that can be used to establish individual identity, or fingerprint, hand, palm, or vein patterns from which an identifier template such as a minutiae template, can be extracted.	Service providers Excelligence affiliates
Professional or employment-related information Current or past job history or performance evaluations.	Excelligence affiliates

The categories of sources from which we collect personal information are described above in the section titled “Personal Information We Collect.”

We use the data we collect about you for the business purposes described above in the section titled “How We Use Your Information.” In addition, we may share any data we hold about you with the parties described above.

Your personal information is not (i) “sold” or (ii) “shared” (for purposes of targeted advertising) by us, nor do we have actual knowledge of any such activity involving the personal information of minors under 16 years of age.

You may have the rights described above in the section titled [Individual Rights in Personal Information](#). You may exercise these rights by contacting us at privacy@excelligence.com.

Data Retention. The Data Retention section above outlines the criteria we utilize for determining how long to retain data.

Sensitive Personal Information. Processing of sensitive personal information is carried out exclusively for the purposes outlined above, to the extent permitted under law. This processing activity may include service providers and government entities.